

Ex. K

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ELASTICSEARCH, INC. and
ELASTICSEARCH B.V.
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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **OAKLAND DIVISION**

13 ELASTICSEARCH, INC., a Delaware
14 corporation, and ELASTICSEARCH B.V., a
Dutch corporation,

15 Plaintiffs,

16 v.

17 FLORAGUNN GmbH, a German corporation,

18 Defendant.
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Case No. 4:19-cv-05553-YGR

**PLAINTIFFS ELASTICSEARCH, INC.
AND ELASTICSEARCH B.V.'S FIFTH
REQUESTS FOR PRODUCTION OF
DOCUMENTS TO DEFENDANT
FLORAGUNN GMBH**

21 PROPOUNDING PARTIES: PLAINTIFFS ELASTICSEARCH, INC. AND
ELASTICSEARCH B.V.

22 RESPONDING PARTY: DEFENDANT FLORAGUNN GMBH

23 SET NUMBER: FIVE (NOS. 100–118)
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REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 100:

All source code used to create the Search Guard object code identified and/or referenced in DEF033182.

REQUEST FOR PRODUCTION NO. 101:

All documents related to the design, development, authorship, or testing of the Search Guard object code identified and/or referenced in DEF033182.

REQUEST FOR PRODUCTION NO. 102:

All documents reflecting the results of unit and integration tests floragunn contends were performed for the June 7, 2018 commit 93b491a182c2f8ff4d0b7ac72cb4bda0c6eb12d2 to Search Guard.

REQUEST FOR PRODUCTION NO. 103:

To the extent not already produced, all documents supporting any claim that Hendrik Saly is unavailable to be deposed in this lawsuit.

REQUEST FOR PRODUCTION NO. 104:

All communications with Amazon related to any actual or contemplated agreements related to Search Guard, including without limitation documents and communications reflecting any negotiations related to any such actual or contemplated agreements and documents and communications related to the performance of any such agreements.

REQUEST FOR PRODUCTION NO. 105:

All communications with Deutsche Telekom related to demand for any set of security, alerting, monitoring, reporting, and/or related features that extend or enhance any Elastic product (including but not limited to Elasticsearch or Kibana), service, or SaaS offering.

REQUEST FOR PRODUCTION NO. 106:

All documents and communications related to comments on GitHub related to consumer demand for any set of security, alerting, monitoring, reporting, and/or related features that extend

1 **REQUEST FOR PRODUCTION NO. 118:**

2 All documents related to floragunn's, Excelerate's, or Amazon's reactions to Elastic
3 making certain source code for X-Pack publicly available in April 2018, including any
4 communications between any of floragunn, Excelerate, or Amazon related to Elastic making
5 certain source code for X-Pack publicly available in April 2018.

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7 Dated: December 23, 2020

8 DAVID R. EBERHART
9 JAMES K. ROTHSTEIN
10 DANIEL H. LEIGH
O'MELVENY & MYERS LLP

11
12 By: /s/ David R. Eberhart
David R. Eberhart

13 Attorneys for Plaintiffs
14 ELASTICSEARCH, INC. and
ELASTICSEARCH B.V.
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PROOF OF SERVICE

I, Daniel H. Leigh, declare: I am over the age of eighteen years and not a party to the within action or proceedings; my business address is: Two Embarcadero Center, 28th Floor, San Francisco, California 94111. On December 23, 2020, I caused to be served the within:

- **PLAINTIFFS ELASTICSEARCH, INC. AND ELASTICSEARCH B.V.'S FIFTH REQUESTS FOR PRODUCTION OF DOCUMENTS TO DEFENDANT FLORAGUNN GMBH; AND**
- **PROOF OF SERVICE**

on counsel for Defendant floragunn GmbH at the following email address: floragunn-service@kblfirm.com.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration, made in conformity with 28 U.S.C. § 1746, was executed at Staunton, Virginia on December 23, 2020.

/s/ Daniel H. Leigh

Daniel H. Leigh